

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

**SUPPRESSED**

UNITED STATES OF AMERICA,

**FILED**

Plaintiff,

JUN - 1 2022

v.

JOHN WHITNEY, JR.,

Defendant.

) No.

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

**4:22CR00323 MTS/PLC**

**INDICTMENT**

**COUNT I**

The Grand Jury charges that:

On or about April 27, 2022, in St. Louis County, Missouri and within the Eastern District of Missouri,

**JOHN WHITNEY, JR.,**

the defendant herein, did knowingly and intentionally possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT II**

The Grand Jury further charges that:

On or about April 27, 2022, in St. Louis County, Missouri and within the Eastern District of Missouri,

**JOHN WHITNEY, JR.,**

the defendant herein, did knowingly possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States, that is, possession with intent to distribute

controlled substances, as charged in Count I, in violation of Title 18, United States Code, Section 924(c)1.

### **FORFEITURE ALLEGATION**

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 21, United States Code, Section 853(a), upon conviction of an offense in violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count I, the defendant shall forfeit to the United States of America any property, constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation.
2. Subject to forfeiture is a sum of money equal to the total value of any property, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the violations set forth in Count I.
3. Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 924(c) as set forth in Count II, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used or intended to be used in said violations.
4. If any of the property described above, as a result of any act or omission of the defendants:
  - a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of the court;
  - d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

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FOREPERSON

SAYLER A. FLEMING  
United States Attorney

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GEOFFREY S. OGDEN, #66930MO  
Assistant United States Attorney